

110TH CONGRESS  
1ST SESSION

# H. RES. 721

Recognizing the 60th anniversary of the Mendez v. Westminster decision which ended segregation of Mexican and Mexican American students in California schools, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 2007

Mr. GONZALEZ (for himself, Mr. HINOJOSA, Mr. BECERRA, Mr. GRIJALVA, Mr. SERRANO, Mr. BACA, Mr. GUTIERREZ, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. PASTOR, Ms. VELÁZQUEZ, and Mr. WU) submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Recognizing the 60th anniversary of the Mendez v. Westminster decision which ended segregation of Mexican and Mexican American students in California schools, and for other purposes.

Whereas Mendez v. Westminster was a 1947 Federal court case that challenged racial segregation in California schools;

Whereas in its ruling, the United States Court of Appeals for the Ninth Circuit, in an en banc decision, held that the segregation of Mexican and Mexican American students into separate “Mexican schools” was unconstitutional;

Whereas on March 2, 1945, a group of Mexican-American fathers (Thomas Estrada, William Guzman, Frank Palomino, and Lorenzo Ramirez), led by Gonzalo Mendez on behalf of his daughter Sylvia, challenged the practice of school segregation in the U.S. District Court in Los Angeles;

Whereas the fathers claimed that their children, along with 5,000 other children of “Mexican and Latin descent”, were victims of unconstitutional discrimination by being forced to attend separate “Mexican” schools in the Westminster, Garden Grove, Santa Ana, and El Modena school districts of Orange County;

Whereas Judge Paul J. McCormick ruled in favor of Mendez and his co-plaintiffs on February 18, 1946;

Whereas the Westminster school district appealed the decision of the district court;

Whereas when the district appealed Judge McCormick’s decision, several organizations joined the appellate case as *amicus curiae*, including the NAACP, represented by Thurgood Marshall;

Whereas more than a year later, on April 14, 1947, the Ninth Circuit Court of Appeal affirmed the district court’s ruling;

Whereas the Ninth Circuit ruled only on the narrow grounds that, although California law provided for segregation of students, it only did so for “children of Chinese, Japanese or Mongolian parentage” and did not provide for “the segregation of school children because of their Mexican blood,”, therefore it was unlawful to segregate the Mexican children;

Whereas later in 1947, California Governor and future Chief Justice of the United States Earl Warren signed into law a repeal of the last remaining school segregation statutes in the California Education Code and thus ended “separate but equal” in California schools and with it school segregation;

Whereas seven years later, *Brown v. Board of Education* held “separate but equal” schools to be unconstitutional, ending school segregation throughout the United States; and

Whereas on April 14, 2007, the Mendez family celebrated the 60th anniversary of the *Mendez v. Westminster* decision: Now, therefore, be it

1       *Resolved*, that the House of Representatives—

2               (1) recognizes the 60th anniversary of the  
3       *Mendez v. Westminster* decision which ended seg-  
4       regation of Mexican and Mexican American students  
5       in California schools;

6               (2) honors the Mendez family and congratulates  
7       Sylvia Mendez for her continued efforts to keep alive  
8       the importance of this case and the impact it had on  
9       her future; and

10              (3) encourages the continued fight against  
11       school segregation and the education of the people of  
12       the United States of the civil right implications of  
13       the *Mendez v. Westminster* case.

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